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| 1 | DANIEL J. BRODERICK, Bar #89424 Federal Defender | | |
|----|--|----------------------------------|--|
| 2 | ANN C. M°CLINTOCK, Bar #141313 Assistant Federal Defender 801 I Street, 3 rd Floor Sacramento, California 95814 | | |
| 3 | 801 I Street, 3 rd Floor Sacramento, California 95814 | | |
| 4 | Telephone (916) 498-5700 | | |
| 5 | Attorney for Petitioner DEREK SYLVESTER | | |
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| 7 | | | |
| 8 | IN THE UNITED STATES DISTRICT COURT | | |
| 9 | FOR THE EASTERN DISTRICT OF CALIFORNIA | | |
| 10 | | | |
| 11 | DEREK SYLVESTER, |) No. CIV S-03-1301 GEB KJM P | |
| 12 | Petitioner, | STIPULATION AND ORDER | |
| 13 | V. | TO CONTINUE EVIDENTIARY HEARING | |
| 14 | v. | Judge: Kimberly J. Mueller | |
| 15 | SCOTT P. RAWERS, et al., | Judge. Killiberry J. Mucher | |
| 16 | Dagnondonta | | |
| 17 | Respondents. | } | |
| 18 | By order filed June 29, 2007, this Court set an evidentiary hearing in this | | |
| 19 | matter for September 10, 2007, at 10:00 a.m. Both petitioner, DEREK SYLVESTER, by | | |
| 20 | and through his attorney, Assistant Federal Defender Ann C. McClintock and | | |
| 21 | RESPONDENTS, by and through their attorney Deputy Attorney General Justain P. Riley | | |
| 22 | hereby stipulate and agree to continue the evidentiary hearing to December 3, 2007, at | | |
| 23 | 10:00 a.m. | | |
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| 1 | Both Petitioner and Respondents need additional time to prepare for the | | |
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| 2 | evidentiary hearing. | | |
| 3 | Dated: September 5, 2007 | Respectfully submitted, | |
| 4 | | DANIEL J. BRODERICK Federal Defender | |
| 5 | | rederal Defender | |
| 6 | <u>/</u> | /s/ <i>Ann C. M^cClintock</i> ANN C. M ^c CLINTOCK | |
| 7 | | Assistant Federal Defender | |
| 8 | j | Attorney for Petitioner DEREK SYLVESTER | |
| 9 | Dated: September 5, 2007 | | |
| .0 | | EDMUND G. BROWN, JR. | |
| 1 | • | EDMUND G. BROWN, JR. Attorney General | |
| .2 | | /s/ Justain P. Riley JUSTAIN P. RILEY | |
| .3 | | JUSTAIN P. RILEY Deputy Attorney General Attorney for Respondents | |
| 4 | 4 | Attorney for Respondents | |
| .5 | * * | * * * | |
| 6 | ODDED | | |
| .7 | ORDER | | |
| 9 | IT IS HEREBY ORDERED that the evidentiary hearing in this case, currently | | |
| 20 | scheduled for September 10, 2007, shall be co | ontinued to December 3, 2007, at 10:00 a.m. | |
| 21 | Dated: September 14, 2007. | | |
| 22 | Dated: September 14, 2007. nunc pro tunc to September 5, 2007 | 100000 | |
| 23 | <u></u> | Mulle | |
| 24 | U.S | S. MAGISTRATE JUDGE | |
| 25 | | | |
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| 27 | | | |
| 28 | Sylvester v. Rawers, CV S 03-1301 Stip & Order to Cont. Evidentiary Hearing | 2 | |